

of Glendora, Los Angeles County, California, passed a city ordinance which provided for the payment to the city of a \$3.00 per quarter city license tax by every physician practicing his profession and having a fixed place of business in Glendora, or a tax of \$1.00 per day on physicians not having an office or residence within the city limits. The ordinance also provided that the city authorities might collect the tax by suit against physicians refusing to pay. Dr. H. H. Chamberlain, of Glendora, decided to fight the matter. The suit begun in the Recorder's Court of Glendora, was transferred, on motion of the physician's counsel, to the Superior Court of Los Angeles County, where the matter was argued on the city's motion for judgment against Dr. Chamberlain. Counsel for defendant argued that the tax was illegal, in that there was no warrant of law for such an ordinance under the California statutes, that the practice of medicine is a profession, and not a business, and that the ordinance was otherwise objectionable as discriminating arbitrarily between physicians having an office in Glendora and physicians not so having an office there, and that therefore the ordinance was unconstitutional as imposing an unreasonable and arbitrary tax.

Judge Finlayson pronounced the ordinance unconstitutional as unreasonable and arbitrarily discriminative in its terms. The general question of whether or not a license tax can be imposed as a prerequisite to the right to practice in a city in this state was not passed upon, as the ordinance was held unconstitutional upon the ground that it was discriminatory and unreasonable.

#### COUNCIL MEETING.

A meeting of the Council was held on the evening of May 23rd, for the purpose of considering the several matters referred to it by the House of Delegates at the last annual meeting. There were present Drs. C. G. Kenyon, O. D. Hamlin, René Bine, H. A. L. Ryfkogel, J. H. Parkinson, G. H. Aiken, A. W. Hoisholt, Harry M. Sherman and Philip M. Jones. The salary of the Secretary-Editor was fixed at \$5,000 for the year 1914.

A communication from Dr. J. H. Hurst was presented and ordered laid on the table.

The Eye, Ear, Nose and Throat Section was granted a sum not to exceed \$50.00 for legitimate expenses connected with the next annual meeting, all bills to be approved by the auditing committee. The Committee on the Conservation of Vision was granted a sum not to exceed \$10.00 for postage in connection with its work. The deficit incurred by Dr. Tucker in the legislative work of the last session was not assumed by the Council as it was the sense of the Council that the expenses were at no time authorized by the Council.

In the matter of a proposed request to the legislature to pass a law separating the regular school from all other systems of healing and create a separate board of medical examiners, the question was ordered put off to a special meeting to be called for the purpose of discussing this

one question and giving those interested a chance to be heard.

The Council did not endorse the resolutions introduced by Dr. Graves at the closing session of the House of Delegates at the last meeting.

The following resolutions were introduced and on motion laid on the table till the next meeting of the Council for consideration at that time:

Resolved that it be the sense of the Council, that on and after January 1st, 1915, suits for alleged malpractice arising in the course of "Lodge and Contract Practice" (see Council's report, June JOURNAL) be not defended by this Society. Be it further

Resolved, that pending a meeting of the Council, individual cases as they may arise be referred to the Chairman and Secretary for action in order that the rights of members be fully protected.

There being no further business, the Council adjourned.

#### TAKE A VACATION.

If you have not done it already, do it as soon as you can; take a vacation. Get away from the routine; go somewhere, anywhere, but preferably near the Earth. No one leads such a narrowing life as the physician and no one needs to get completely away from it every once in awhile as does the doctor. He is eternally thinking and talking his shop. When two or three doctors are gathered together, they invariably begin to talk "shop"; they cannot keep away from it, so when you go on your vacation, do not go with another doctor. Any one who does not get away from his own little path in life once in awhile, gets stale; and it is not a good thing for your patients for you to get stale.

#### A SIGN OF PROGRESS.

It is much more desirable, speaking merely economically, to save the life and restore the health of a satisfactory working unit, than to let that unit drag along in an unfit and unearning condition and die before the allotted years of usefulness have passed. Insurance companies are finding this out and are developing plans and methods for saving lives and not merely waiting around to pay for them when the life has gone out of the insured. On June 20th, the Metropolitan Insurance Company dedicated a tuberculosis sanatorium for its employees at Mt. McGregor, New York. This is a truly encouraging sign of awakened progress and means much more than appears in the mere announcement.

#### ANOTHER WORD OF APPRECIATION.

A member living in Los Angeles, who was recently one of the defendants in a very bitterly fought suit for damages for alleged malpractice, which suit was defended and won by the legal department of the State Society, writes, in part, as follows:

"It was a great relief when the suit was concluded in our favor. Such a case would make one appreciate the backing of the State Medical Society, if one needed stimulation for